

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned  
 OTHER MINOR OFFENSE MO ☐ 1085/4 8509  
 OTHER MISDEMEANOR Mis ☐ Disp./Sentence  
 FELONY Fel ☒ District Office 11-3-76

U.S. vs. LEE, Robert Jerry (41) (#24913-149)  
 Box 7000  
 Texarkana, TX 75501  
 (LAST, FIRST, MIDD)

JUVENILE

Case Filed Day  
 10 13  
 No. of Def's

Barrow

76-CR-142 - 1

Yr. Docket No. Def.

U.S. MAG.  
CASE NO.

U.S. TITLE/SECTION  
 18:2312

OFFENSES CHARGED  
 Dyer Act - transport stolen vehicle  
 (\$5,000 and/or 5 yrs)

ORIGINAL COUNTS

1

BAIL • RELEASE

☐ Denied ☐ AMT ☐ Fugitive  
☐ Set ☐ Pers. Recog.

\$ 5 000

PSA

Date  
 10-13-76

conditions

10% Deposit

X Surety Bond / C

☐ Bail Not Made☐ Collateral☐ Status Changed  
(See Docket)☐ 3rd Prty Cust☐ Other

## II. KEY DATES &amp; INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began 10-21-76	High Risk Date 10-13-76	10-21-76	Trial Set For	Voir Dire <input type="checkbox"/>
Summons Served	Indict. Waived <input type="checkbox"/>	1st Plea 10-21-76	<input type="checkbox"/> NG <input checked="" type="checkbox"/> G <input type="checkbox"/> NOL	<input checked="" type="checkbox"/> Convicted
First Appearance	In Charging District	Final Plea 10-21-76	<input type="checkbox"/> G. Plea {W/Drawn	<input type="checkbox"/> Acquired
	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>		<input type="checkbox"/> NG <input checked="" type="checkbox"/> G <input type="checkbox"/> NOL	<input type="checkbox"/> Dismissed
				<input type="checkbox"/> On Governm'ts Motion

## MAGISTRATE

DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
Search Warrant Issued		PRELIMINARY EXAMINATION		<input type="checkbox"/> DISMISSED
Summons Issued		OR Date Scheduled		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Summons Served		REMOVAL HEARING		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW
Arrest Warrant Issued	10-5-76	WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/>	Tape Number	
COMPLAINT	10-5-76	X INTERVENING INDICTMENT		
OFFENSE (In Complaint)	Transporting in interstate commerce a stolen motor vehicle			

U.S. Attorney or Asst.

Hubert H. Bryant

Kenneth P. Snoke

## ATTORNEYS

Defense: ☒ CJA ☐ Ret. ☐ Waived ☐ Self. ☐ None / Other. ☐ PD. ☐ CD

Lewis Perrault III  
 4143 East 31st St.  
 Tulsa 74135  
 749-8891

Pro Se (rule 35)  
 #24913-149  
 La Tuna Box 1000  
 Anthony, New Mex.-Tex. 88021

\* Show last names and suffix numbers of other defendants on same indictment/information:

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
10-13-76		Record vote of grand jury, filed in open ct. rm	
10-13-76		Indictment, filed in open ct. Bond set at \$5,000 C/S. 2	1013-76 M
10-14-76		Warrant for arrest of def. issued. rm	
10-15-76		Magistrate's complaint, filed. rm	
10-15-76		Petition for WHCAP, filed. rm	
10-15-76		Order, filed, granting WHCAP.(AEB-J)rm-copy to USA	
10-15-76		Writ issued. rm	
10-18-76		MO: Case set for arraignment and plea for Thursday, 10/21/76 at 10 a.m.(AEB-J)rm-notice to US Atty.	
		Def. is granted 10 days from this date to file any and all motions; govt. 5 days thereafter to respond.	
10-20-76		Magistrate papers added to file. rm	
10-21		Case called for arraignment & plea. Deft. present & represented. Govt. represented. Deft. acknow. receipt of indict., is advised of charged & placed under oath.	2 10-21-76 M 9

Cont'd

IV. PROCEEDINGS (continued)		PAGE TWO		V. EXCLUDABLE DELAY				LETTER CODES
DATE	(DOCUMENT NO.)	Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)	For Identifying Periods of Exclud- able Delay Per 18 U.S.C. 3161 (h)		
	Deft. is arraigned & enters plea of GUILTY & is adjudged GUILTY as charged. Deft. waives jury; waiver signed & filed in open court. Ct. orders pre-sent. report. Sentencing set on 11-3-76, 10:00A.M. Deft. remanded to USM.(AEB-J)b					A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).		
10-27-76	WHCAP, ret. & filed: deft. Lee transported from Rogers County Jail to Tulsa & returned to Jail on 10-20-76 and on 10-21-76. g					B. NARA Examination (28 U.S.C. 2902).		
10-20-76	W/Arrest, ret. & filed - unexecuted. g					C. State or Federal trials on other charges.		
11-2-76	Petition for writ of Habeas Corpus Ad Prosequendum in re to Robert Jerry Lee's sentencing set for 11-3-76 at 10:00 a.m.s O to J Writ issued.					D. Interlocutory Appeals.		
11-3-76	Order, filed, granting writ of habeas corpus ad prosequendum.s (AEB-J)					E. Hearings on pretrial motions.		
11-3	Case called for sentencing. Deft. present & rep. Govt. represented. Deft. & co. asked if they have anything to say before sent. is pronounced: Judgment & Sentence - Robert Jerry Lee Atty. Gen. - Three (3) years. Deft. remanded to USM.(AEB-J)b					F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).		
11-3	Judgment & Commitment, filed & entered.(AEB-J)b					G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).		
11-3	Two c/c of J&C to USM. b					H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.		
11-8	Return on arrest warrant, filed. Returned unexecuted, handled on WHCAP, J & C issued.k					I. Prosecution deferred by mutual agreement.		
11-8	Return on USM service of WHCAP, filed. Executed by delivering deft. to Federal Court on 11-3-76 & by returning him to Rogers Co. Jail, Claremore, OK, on 11-3-76.k					M. Unavailability of defendant or essential witness.		
11-12-76	Deft's motion for modification of judgment sentence w/brief attached, filed.s O to J <i>Cy to Dene</i>					N. Period of mental or physical incompetence of defendant to stand trial.		
11-22-76	Order, filed, that motion for discretionary modification of sentence is overruled.s (AEB-J) cps. mld.					O. Period of NARA Commitment or Treatment.		
12-9-76	Order, filed, overruling motion (letter) for discretionary modification of sentence. (AEB-J)g cp mld					P. Superseding indictment and/or new charges.		
3-29-77	Deft. Motion to Reconsider Ruling and Submit Newly Discovered Facts on Motion for Modification of Judgment Sentence. fld. ho					R. Defendant awaiting trial of Co-defendant when no severance has been granted.		
4-13	Order, fld., that the motion for reduction of sentence of Deft. Lee is overruled. (AEB-J)v -cps. mld.					T. Continuances Granted per 3161(h) (5) (i.e. ends of justice or complexity of case outweighs defendants' interests).		
10-31-77	Deft. mot. to vacate, set aside or correct sentence, fld. ho cpy to Dene.(77-C-450)					U. Time between guilty plea and plea withdrawal.		
11-3	Deft. supplemental brief, fld. ho					W. Grand Jury indictment extended per 3161 (b).		
11-3	Deft. mot. for sub. ducos tecum. fld. ho							
11-8	Deft. mot. for addendum to supplement brief. fld. ho							
11-9	MO. Case referred to Mag. Rizley for recommendations to the Court. (AEB-J) hot. APP-JV ho							
11-14	Order to Show Cause, fld. Respondent is given 10 days to respond. (AEB-J) cps mld. ho							
FINE AND RESTITUTION PAYMENTS								
DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER			

DATE 1977	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
11-21	Deft. mot. to expedite. fld. ho				
11-21	Respondents response to mot. to vacate. fld. ho				
11-23	Reporter's transcript of plea and sentencing had on 10-21-76 and 11-3-76, filed. (GRD-CSR)k				
11-25	Traverse, filed. g				
11-30	Deft.'s appl. for leave to submit exhibit, filed.k				
12-2	Respondent supplementary exhibit to response to mot. to vacate sentence pursuant to 28 US. §2255. fld. ho				
12-7	Movants traverse to supplemental exhibit. fld. ho				
1978					
3-1	Order, filed & entered, that petitioner's mot. for subpoena duces tecum is overruled as moot and mot. to expedite hrg. is overruled. Further, motion pursuant to 28 USC §2255 is denied and the case is dismissed. (AEB-J)k cps mld				
3-7	Motion of Robert Lee to reconsider the Court Order in error, filed.k				
3-7	Request of Robt. Lee for final disposition of case, filed.k				
5-31	Order, fld. & entered, It is ordered that the mots. of Robert Jerry Lee to reconsider the Cts. prior order & for an Order to have him taken into custody from the State of OK sentences and transported to the Federal institution to begin service of his sentence in 76-CR-142, are overruled, denied & dismissed. (AEB-J)ho c/m				
6-9	Deft. mot. to vacate, fld. ho (78-C-249)				
6-9	Deft. mot. for w/drawal of plea of guilty & mot. for arrest of judgment, fld. ho				
6-9	Notice of Appeal (77-C-450) by deft. from Orders of 3/1/78 and 5/31/78, filed. rm (copy to USCA)				
6-27	Orig. appeal record (1+ 1, re 77-C-450)transmitted to USCA.rm				
7-6	Letter from 10th Circuit, assigning No. 78-1513.rm				
7-21	Order, fld. & entered It is ordered that the mot. for w/drawal of plea of guilty & for arrest of judgment are overruled. (AEB-J)ho c/m (78-C-249)				
7-27	Deft. notice of intentions to appeal to the U. S. Ct. of appeals & pet. for cert. of probable cause, fld. ho re: 78-C-249. Copies in re				
8-4	MO: case referred to Mag. Rizley pursuant to M-128 for recommendation to the Ct. (AEB-J)ho				
8-9	Order, fld. & entered It is ordered that the second & successive mot. pursuant to 28 USC §2255 of Robert Jerry Lee is hereby denied & dismissed. (AEB-J)ho c/m in re: (78-C-249-B)				
8-10	Orig. appeal record (78-C-249)transmitted to USCA.rm				

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1979					
3-2-79	Deft's mot/reduce or correct sentence pursuant to Rule 35, fld.ra				
3-16-79	Mandate and opinion of 10th Circuit (77-C-450 and (78-C-249), filed and spread of record, affirming court's judgs. rm				
3-19-79	Appeal records rec'd from USCA. (Vol. I + suppl. in 77-C-450 & Vol. I in 78-C-249)g				
4-4	Order, filed, that deft's mot/reduction of sentence is overruled for lack of jurisdiction of the Court. (HDC-J)k cps mld <i>FCI, Laturo TV 88021</i>				
4-27	Deft. mot. to reduce or correct sentence pursuant to rule 35. fld. ho				
5-10	ORDER overruling mot/reduction of sentence (R.35). (HDC-J)g c/m				
5-21	MOTION pursuant to 28 USC 2255. rm (79-C-376-D)				
6-26-79	ORDER, It is ordered that the mot. pursuant to 28 USC 2255 of Robert Jerry Lee is overruled & dismissed. (FD-J)ho c/m (79-C-376-D)				